

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

APR - 7 2009

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES OF AMERICA,)
THEODORE F. STEVENS,)
Defendant.)
v.)
) No. 08-cr-231 (EGS)

ORDER

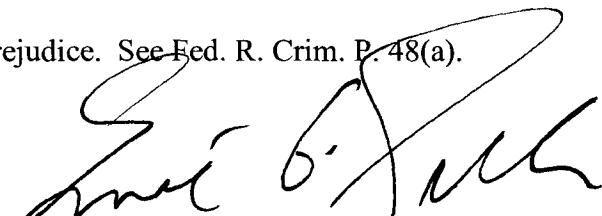
At the direction of the Attorney General, on April 1, 2009, a newly-appointed team of prosecutors filed a Motion to Set Aside the Verdict and Dismiss the Indictment, citing the failure to produce notes taken by prosecutors in an April 15, 2008 interview of Bill Allen. At a hearing on April 7, 2009, the government conceded that these notes contained information that the government was constitutionally required to provide to the defense for use at trial. Despite repeated defense requests and the Court's repeated admonitions to provide exculpatory information, the notes were not produced to the defense until March 25-26, 2009, nearly five months after trial. The Court will grant the Motion.

There was never a judgment of conviction in this case. The jury's verdict is being set aside and has no legal effect.

The government's Motion is GRANTED. The verdict is hereby set aside and the indictment is hereby dismissed with prejudice. See Fed. R. Crim. P. 48(a).

IT IS SO ORDERED.

April 7, 2009



Emmet G. Sullivan
United States District Judge